

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BIRUTE GUDENAVICHENE,

Plaintiff,

vs.

BAC HOME LOAN SERVICING, LP, *et al.*,

Defendants.

Case No. 2:11-cv-00687-RCJ-GWF

**ORDER**

This matter is before the Court on Plaintiff's counsel John Peter Lee, LTD.'s Motion to Withdraw from Representation of Birute Gudenavichene (#11), filed June 17, 2011.

Pursuant to this Court's Local Rules, "[n]o attorney may withdraw after appearing in a case except by leave of court after notice served on the affected client and opposing counsel." LR IA 10-6(b). The rule further provides that withdrawal "shall not alone be reason for delay of pretrial proceedings, discovery, the trial, or any hearing in the case." LR IA 10-6(d). Absent good cause, "no withdrawal ... shall be approved if delay of discovery, the trial or any hearing in the case would result." LR IA 10-6(e). "Where delay would result, the papers seeking leave of court for the withdrawal ... must request specific relief from the scheduled trial or hearing." *Id.*

The complaint (#1) in this matter was filed on April 29, 2011. The summons (#3) was issued on May 2, 2011 and, on that same date, Plaintiff filed a Motion for Temporary Restraining Order (#6), which was denied on May 3, 2011.<sup>1</sup> Plaintiff also filed a Motion for Preliminary Injunction (#5), which is currently set for hearing on September 9, 2011 before Chief Judge Jones. Given that there are over sixty (60) days before the scheduled hearing, the Court finds the likelihood of delay as a result of this withdrawal is minimal. Nevertheless, the Court will require

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<sup>1</sup> According to the motion (#11), service has not been accomplished on defendants.

1 withdrawing counsel to serve Plaintiff with a copy of this order and a copy of the docket to ensure  
2 that Plaintiff is made aware of the pending hearing and any possibility of delay mitigated.

3 Accordingly,

4 **IT IS HEREBY ORDERED** that Plaintiff's counsel John Peter Lee, LTD.'s Motion to  
5 Withdraw from Representation of Birute Gudenavichene (#11) is **granted**.

6 **IT IS FURTHER ORDERED** that Plaintiff's counsel John Peter Lee, LTD. shall provide  
7 Plaintiff Birute Gudenavichene with a copy of this order and a copy of the docket report. Plaintiff  
8 shall have until August 1, 2011, to advise the Court if new counsel will be retained.

9 **IT IS FURTHER ORDERED** the Clerk of the Court shall add the last known address of  
10 Plaintiff Birute Gudenavichene to the civil docket:

11 Birute Gudenavichene  
12 9 Grand Corniche  
13 Henderson, Nevada 89011  
14 Ph: (702) 326-2511

15 **IT IS FURTHER ORDERED** that the Clerk of the Court shall serve Plaintiff Birute  
16 Gudenavichene with a copy of this order and a copy of the docket report at her last known  
17 addresses listed above.

18 DATED this 7th day of July, 2011.

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20 GEORGE FOLEY, JR.  
21 United States Magistrate Judge  
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